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February 8, 2005

United States Patent & Trademark Office
Trademark Trial & Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Opposer's Motion for Default Judgment
Opposition No.: 91163258
Trademark: HOUSE OF BLUES
Applicant: ProSeeds Marketing, Inc.
Serial No.: 78/311,474
Attorney Docket No.: 064163.0062

Dear Madam:

Enclosed please find the following documents for filing:

- Opposer's Motion for Default Judgment, in triplicate; and
- A return receipt acknowledgment postcard.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment in any fees to Deposit Account No. 01-0477.

Respectfully submitted,



Kirt S. O'Neill

Enclosure



02-10-2005

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #64

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HOUSE OF BLUES BRANDS CORP.

Opposer,

v.

PROSEEDS MARKETING, INC.,

Applicant.

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Application No.: 78/311,474

Mark: HOUSE OF BLUES

Opposition No.: 91163258

OPPOSER'S MOTION FOR DEFAULT JUDGMENT

Opposer submits this Motion for Default Judgment under T.B.M.P. § 312.01.

The above-captioned opposition proceeding was instituted on November 17, 2004.

Applicant's answer or other responsive pleading was due on or before January 17, 2005.

Opposer has not been served with an answer or other responsive pleading, and upon information and belief, Applicant has not requested any extension of time in which to do so.

Accordingly, Opposer moves that a default judgment be entered against Applicant.

Respectfully submitted,

Dated: 2-8-05

By: Kirt S. O'Neill
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ATTORNEYS FOR OPPOSER



02-10-2005

U.S. Patent & TMO/TM Mail Rcpt Dt. #64

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to United States Patent & Trademark Office, Trademark Trial & Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451 on February 8, 2005.

Kirt S. O'Neill
Kirt S. O'Neill

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Opposer's Motion for Default Judgment was mailed to the following:

ProSeeds Marketing, Inc.
13963 Westside Lane S.
Jefferson, OR 97352

on this 8 day of February, 2005.

Kirt S. O'Neill
Kirt S. O'Neill